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Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

ARTHUR L. FISHER, ) CIVIL NO. C-05-4383 VRW  
Plaintiff, ) STIPULATION FOR THE AWARD AND  
v. ) PAYMENT OF ATTORNEY FEES UNDER  
MICHAEL J. ASTRUE, ) THE EAJA; AND ORDER  
Commissioner of )  
Social Security, )  
Defendant. )

TO THE HONORABLE VAUGHN R. WALKER, CHIEF JUDGE OF THE DISTRICT  
COURT:

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that counsel for Plaintiff, as Plaintiff's assignee, be awarded attorney fees under the Equal Access to Justice Act (EAJA) in the amount of THREE THOUSAND TWO HUNDRED dollars (\$3,200.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by his attorney in connection with this civil action for services before the district court through remand, in accordance with 28 U.S.C. § 2412(d).

1       The stipulation is entered into for the sole purpose of settling all disputed claims regarding EAJA  
2 and avoiding the expenses and risks of litigation. This stipulation constitutes a compromise settlement  
3 of Plaintiff's request for EAJA attorney fees, costs and expenses. This stipulation does not constitute an  
4 admission of liability on the part of Defendant under the EAJA. This stipulation does not settle or  
5 compromise the question of whether Marc V. Kalagian may be, is, or should be the direct payee of an  
6 award of fees, costs, and expenses under the EAJA in the absence or presence of an express or implied  
7 assignment of such an award nor whether any such award is free from or subject to debts of Plaintiff, if  
8 any, under the Debt Collection Act of 1996, 31 U.S.C. § 3716, or as to any issue regarding the  
9 applicability of the Assignment of Claims Act, 31 U.S.C. § 3727.

10       Neither this agreement nor the substance herein shall, in full or in part, be quoted, cited or  
11 referred to in any document filed in any case but the present one and it shall not, in full or in part, be  
12 attached to any document filed in any case but the present one.

13       Payment of THREE THOUSAND TWO HUNDRED dollars (\$3,200.00) in EAJA attorney fees,  
14 costs, and expenses to Marc V. Kalagian, as Plaintiff's assignee, shall constitute a complete release from  
15 and bar to any and all claims Plaintiff may have relating to EAJA attorney fees and costs in connection  
16 with this action. Any payment shall be made payable to Plaintiff's counsel as Plaintiff's assignee and  
17 delivered to Plaintiff's counsel.

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This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney fees, under 42 U.S.C. § 406(b). Any payment shall be made payable to Plaintiff's counsel as Plaintiff's assignee and delivered to Plaintiff's counsel.

Respectfully submitted,

Dated: December 27, 2007

/s/ Marc V. Kalagian  
(As authorized via email)  
Marc V. Kalagian  
Attorney for Plaintiff

Dated: December 27, 2007

SCOTT N. SCHOOLS  
United States Attorney  
LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX  
Social Security Administration

/s/ Jacqueline A. Forslund  
JACQUELINE A. FORSLUND  
Special Assistant U.S. Attorney

Attorneys for Defendant

## ORDER

APPROVED AND SO ORDERED.

DATED: January 7, 2008

  
VAUGHN R. WALKER  
UNITED STATES DISTRICT JUDGE